

Atty Dkt. No. IDD-5776  
BBL No. 113957-249

- 1 -

PATENT

H, 2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As named inventors, Sean Brynjelsen, Shmuel Sternberg, and Andy Dunham, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "PREPARATION OF SUBMICRON SOLID PARTICLE SUSPENSIONS BY SONICATION OF MULTIPHASE SYSTEMS", which was filed on September 26, 2001 as United States Application Number 09/964,273.

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any Amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)			Priority <u>Claimed</u>
<u>NONE</u> Number	Country	Day/Month/Year Filed	Yes No

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>NONE</u> Application Number	Filing Date
-----------------------------------	-------------

We hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and,

Atty Dkt. No. IDD-5776  
BBL No. 113957-249

- 2 -

PATENT

insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

Application Number	Filing Date	Status
--------------------	-------------	--------

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

Francis C.M. Kowalik	- 34,646	Holby M. Abern	- 47,372	Michael S. Leonard	- 37,557
Mark J. Buonaiuto	- 31,593	Robert M. Barrett	- 30,142	Edward A. Lehman	- 22,312
Joseph J. Barrett	- 34,769	Alan L. Barry	- 30,819	Adam H. Masia	- 35,602
Janice Guthrie	- 35,170	Thomas C. Basso	- 46,541	Dante J. Picciano	- 33,543
Charles R. Mattenson	- 30,660	Jeffrey H. Canfield	- 38,404	Renato L. Smith	- 45,117
Paula J. Kelly	- 37,624	Robert W. Connors	- 46,639	Maurice E. Teixeira	- 45,645
Jeffrey C. Nichols	- 36,879	Joseph A. Fuchs	- 34,604	William E. Vaughan	- 39,056
Bradford R.L. Price	- 29,101	Amy J. Gast	- 41,773	Tin-Chuen Yeung	- 40,240
		Christopher S. Hermanson	- 48,244	and all members of the firm of Bell,	
		James Jagoda	- 33,250	Boyd & Lloyd LLC.	
		Patricia A. Kane Schmidt	- 46,446		

Send correspondence and direct telephone calls to:

**MARK J. BUONAIUTO, ESQ.**  
**ASSISTANT GENERAL COUNSEL**  
**BAXTER INTERNATIONAL INC.**  
**LAW DEPARTMENT**  
**ONE BAXTER PARKWAY, DF2-2E**  
**DEERFIELD, ILLINOIS 60015**  
**847/948.2000 (Phone)**

We hereby declare all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

BEST AVAILABLE COPY

Atty Dkt. No. IDD-5776  
BBL No. 113957-249

- 3 -

PATENT

Full Name of First Joint Inventor: Sean Brynjelsen

Residential Street Address: 4 Walnut Grove Court

City and State/Province: Lake in the Hills, Illinois

Country and Zip/Postal Code: U.S.A. 60156

Citizenship: U.S.A.

Mailing Address: Same as above.

Inventor's Signature: 

Date: 4-16-2002

Full Name of Second Joint Inventor: Shmuel Sternberg

Residential Street Address: 709 E. Lenox Lane

City and State/Province: Palatine, Illinois

Country and Zip/Postal Code: U.S.A. 60067

Citizenship: U.S.A.

Mailing Address: Same as above.

Inventor's Signature: 

Date: 4/16/02

Full Name of Third Joint Inventor: Andy Dunham


Residential Street Address: 1939 West Bluff Court

City and State/Province: Round Lake, Illinois

Country and Zip/Postal Code: U.S.A. 60073

Citizenship: U.S.A.

Mailing Address: Same as above.

Inventor's Signature: 

Date: 4/16/02